



03-30-04

2872

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert K. Rowe et al. Confirmation No.: 1809  
Serial No.: 09/832,631 Examiner: Craig Curtis  
Filing Date: April 11, 2001 Group Art Unit: 2872  
Docket No.: 1023.1123101 Customer No.: 28075  
For: ENCODED VARIABLE FILTER SPECTROMETER

***TRANSMITTAL SHEET***

Mail Stop Non-Fee Response  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certified that this paper or papers, as described herein are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 315613453 US, in an envelope addressed to: Mail Stop Non-Fee Response, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 29th day of March 2004.

By Kathleen L. Boekley  
Kathleen L. Boekley

We are transmitting herewith the attached:

[XX] Response  
[XX] No additional claim fee required  
[ ] The claim fee has been calculated as shown:

CLAIMS AS AMENDED							
	(3)	(4)	(5)	SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		X 9=	\$	X 18=	\$
INDEPENDENT CLAIMS	-	=		X 43=	\$	X 86 =	\$
( ) FIRST MULTIPLE DEPENDENT CLAIM				+ 145 =	\$	+ 290 =	\$
TOTAL				\$		\$	

[ ] A check in the amount of \$\_\_\_\_\_ is enclosed. Itemization:

Fee Code \_\_\_\_\_ \$

Fee Code \_\_\_\_\_ \$

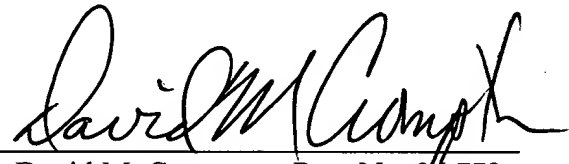
Fee Code \_\_\_\_\_ \$

[ ] Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established.

[XX] Other: COPY OF OIPE DATE-STAMPED POSTCARD, INFORMATION DISCLOSURE STATEMENT, FORM PTO-1449 AND 3 CITED REFERENCES.

[XX] Return Receipt Postcard (MPEP 503).

[XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By:   
David M. Crompton, Reg. No. 36,772

David M. Crompton  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, MN 55403-2420  
Telephone: (612) 677-9050  
Facsimile: (612) 359-9349



PATENT

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**AMENDMENT**

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By Kathleen L. Boekley  
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Dear Sir:

This paper is in response to the Office Action mailed January 2, 2004, with a shortened statutory period set to expire on April 2, 2004. This paper is filed within the set period for response such that no extension of time is necessary.

Please consider the following amendments and/or remarks:

**Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.

An **Appendix** including a copy of the IDS originally filed November 26, 2001 is attached following page 14 of this paper.